

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: 20 July 2005 Division: Growth Management
Bulk Item: Yes X No Department: Marine Resources
Staff Contact: George Garrett

AGENDA ITEM WORDING:

Approval of a Resolution requesting a lease from the State of Florida for property located on the south side of Card Sound Road lying between the Card Sound bridge and the Monroe County bridge toll plaza.

ITEM BACKGROUND:

The Commission requested that staff pursue permits for the improvement of the boat ramp located on Card Sound Road between the bridge and the County toll plaza. Upon submitting an application for said improvements, and after some considerable dialogue, it was determined that the State actually owns the property on which the ramp is located. In order to continue with the application for boat ramp improvements, the County must either be the owner of the property or have a lease for the property and permission from the owner to make said improvements. The State has agreed in writing that they support the project and are willing to lease the property to the County for the desired ramp improvements. The State has requested in the attached letter that the County affirm its interest in the property in the form of a resolution.

PREVIOUS RELEVANT BOCC ACTION:

Approval to submit applications to improve the Card Sound boat ramp

CONTRACT/AGREEMENT CHANGES:

NA

STAFF RECOMMENDATIONS;

Approval

TOTAL COST: NA BUDGETED: Yes No

COST TO COUNTY: NA SOURCE OF FUNDS:

REVENUE PRODUCING: Yes No AMOUNT Per Month Year

APPROVED BY: County Atty X OMB/Purchasing NA Risk Management NA

DIVISION DIRECTOR APPROVAL: Timothy McGarry, Director of Growth Management

DOCUMENTATION: Included Not Required

DISPOSITION: AGENDA ITEM NO.:

RESOLUTION NO. 2005

A RESOLUTION OF THE MONROE COUNTY BOARD OF COMMISSIONERS REQUESTING A LEASE OF PROPERTY OWNED BY THE STATE OF FLORIDA; SAID PROPERTY BEING LOCATED ON THE WEST SIDE OF CARD SOUND ROAD, LYING BETWEEN THE CARD SOUND BRIDGE AND THE MONROE COUNTY BRIDGE TOLL PLAZA; SAID PROPERTY INCLUDING THE BOAT RAMP LOCATED IN THIS AREA.

WHEREAS, in compliance with the Monroe County 2010 Comprehensive Plan, the Board of Commissioners wishes to provide additional public access to the waters of the County; and

WHEREAS, Monroe County wishes to provide improved boating access at a boat ramp located on the south side of Card Sound Road, lying between the Card Sound Bridge and the Monroe County bridge toll plaza; and

WHEREAS, the County believed that ownership of the land based portion of the boat ramp and adjacent parking areas located on the property in question lay within the road right-of-way; and

WHEREAS, it has been determined through intensive title investigation that the property in question is actually owned by the State of Florida; now, therefore

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, MONROE COUNTY, FLORIDA THAT:

Section 1. The Board requests a lease of property on the south side of Card Sound Road lying between the Card Sound Bridge and the Monroe County bridge toll plaza; and

Section 2. Monroe County will provide recent aerial photography of the property in question in support of its request; and

Section 3. Monroe County will provide a statement justifying the need and proposed use of the property in question; and

Section 4. Monroe County will provide a statement from the local planning agency indicating that the intended use is consistent with the Monroe County 2010 Comprehensive Plan; and

Section 5. Monroe County will provide necessary surveys of the property requested for the lease from the State of Florida; and

Section 6. Monroe County will provide a statement describing the public benefit to be derived from the requested lease and the improvements desired at the existing boat ramp on the site.

PASSED AND ADOPTED by the Board of County Commissioners, Monroe County, Florida at a regular meeting of said Board held on the 20th day of July, A.D., 2005.

Mayor Dixie Spehar _____
Mayor Pro Tem Charles "Sonny" McCoy _____
Commissioner George Neugent _____
Commissioner Tem David Rice _____
Commissioner Murray Nelson _____

BOARD OF COUNTY COMMISSIONERS
MONROE COUNTY, FLORIDA

BY: _____
MAYOR/CHAIR PERSON

(SEAL)

ATTEST: DANNY I. KOLHAGE, CLERK

BY: _____
DEPUTY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: Kenneth R. Willis
ATTORNEY'S OFFICE



Department of Environmental Protection

Jeb Bush
Governor

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Colleen M. Castille
Secretary

June 16, 2005

Richard Jones
Department of Marine Resources
Monroe County
2798 Overseas Highway
Marathon, Florida 33050

Dear Mr. Jones:

**RE: Request for lease
Card Sound Road**

Thank you for your request of a lease at Card Sound Road for the purposes of reconfiguring a boat ramp, replacing the existing seawall, and constructing a paved parking area with associated drainage swales. Prior to doing that, we will need a few more items as detailed on the application. These are listed below for your information:

- (1) A formal resolution adopted by the Board of County Commissioners requesting the proposed lease;
- (2) Recent aerial photograph with the boundaries of proposed lease area identified;
- (3) A statement describing the need and proposed use or development plans for the state land proposed for lease;
- (4) A letter from the applicable local planning agency stating that the proposed lease is consistent with the local government comprehensive plan adopted pursuant to section 163-3167, Florida Statutes;
- (5) Four prints of a certified survey (two for the upland lease application and two for the submerged land lease application), of the property meeting the minimum technical standards of Chapter 61G17-6 Florida Administrative Code, which contain the boundaries, legal descriptions, and acreage of the property; and
- (6) A statement describing the public benefits that will occur as a result of the proposed lease; how the lease will impact local resources and the general public; and how the proposed lease of state land will not be contrary to the public interest.

Mr. Richard Jones
June 16, 2005
Page Two

A survey is needed to properly identify the location and accurate dimensions/size of the pre-empted area. The requirements for a submerged land lease survey can be found at the following link under section 0950. http://depnet/wrm/sler/erp/docs/SLERP_Online/MainIndex.pdf . One drawing should be sufficient for both parcels as long as it clearly identifies the upland parcel from the submerged parcel. If there are specific questions the surveyor has regarding boundary control and mean high water/safe upland line information, please have them contact Alvin Gloer at (850) 245-2606. Thank you for your assistance. If you have any questions, feel free to contact me by calling (850) 245-2720, extension 4651.

Sincerely,

Tracey L. Mason

Tracey L. Mason
Bureau of Public Land Administration
Division of State Lands

/tlm

cc: Gloria Nelson
Scott Woolam
Eva Armstrong
Dale Adams
Bud Vielhauer
George Kenny
Tania McMillan
Alvin Gloer